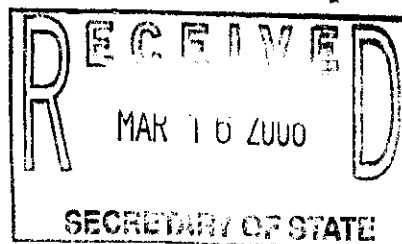


AFFIRMATIVE
PUBLIC POLICY SOLUTIONS



SWORN STATEMENT

The undersigned, being first duly sworn, states under oath that the following are the names and street addresses of every person, corporation, or association sponsoring the Initiative Petition to consider a statute to affirm the sovereign right of Native American tribal governments to conduct gaming on Indian lands for economic and community development purposes:

Affirmative Public Policy Solutions
10844 Old Mill Road, Suite 4
Omaha, NE 68154

Omaha Tribe of Nebraska
Eleanor Baxter, Tribal Chairperson
100 Main Street
Macy, NE 68039

Santee Sioux Nation
Roger Trudell, Tribal Chairperson
425 Frazier Ave N. Suite 2
Niobrara, NE 68760

Winnebago Tribe of Nebraska
John Blackhawk, Tribal Chairperson
Blackhawk Community Center
Hwy 77
P.O. Box 687
Winnebago, NE 68071-0687

Ben Thompson
Ben Thompson, Managing Partner
Affirmative Public Policy Solutions

3/16/06
Date

STATE OF NEBRASKA
COUNTY OF Douglas

Subscribed and sworn to before me this 16 day of March, 2006.

Karen K. Fisher
NOTARY PUBLIC



**INITIATIVE PETITION
(CONSTITUTIONAL AMENDMENT)**

OBJECT STATEMENT: TO AFFIRM THE SOVEREIGN RIGHT OF NATIVE AMERICAN TRIBAL GOVERNMENTS TO CONDUCT GAMING ON INDIAN LANDS FOR ECONOMIC AND COMMUNITY DEVELOPMENT PURPOSES; TO OFFER PARTICIPATING ELIGIBLE TRIBAL GOVERNMENTS THE OPPORTUNITY TO OPERATE ONE CASINO OUTSIDE INDIAN LANDS ON SPECIFIED CONDITIONS AND IN LIEU OF GAMING ON INDIAN LANDS

The following section shall be added as section 1 of a new Article XIX of the Constitution of Nebraska entitled, "Native American Tribal Governments":

XIX-1 (1) The people of Nebraska, in recognition of the sovereign right and responsibility of Native American tribal governments to promote the development of tribal economies and tribal communities, affirm and consent that a federally recognized tribal government having administrative headquarters in Nebraska as of January 1, 2006, may compact with the State of Nebraska, and the State of Nebraska shall so compact, to allow the operation of Class III gaming on its Indian lands pursuant to the federal Indian Gaming Regulatory Act, which Class III gaming includes, for purposes of 25 U.S.C. 2710(d)(1)(B), any Class III gaming allowed, as of the date compact negotiations are first requested, by any state adjoining Nebraska.

(2) In recognition of the sovereign right and responsibility of Native American tribal governments to promote the development of tribal economies and tribal communities, a federally recognized tribal government having its administrative headquarters on federal Indian reservations in Nebraska, originally established by treaty prior to 1866 or by executive order prior to 1867, and existing as of January 1, 2006 ("eligible tribal governments"), may exclusively own and operate, with other participating eligible tribal governments, if any, one casino (state-authorized casino) outside Indian lands, as defined at 25 U.S.C. 2703, that may offer any games of chance allowed, as of the date compact negotiations are first requested, by any state adjoining Nebraska and such other games of chance independently authorized under Nebraska law, if each eligible tribal government choosing to participate agrees in a resolution of its governing body to:

(a) Form a foundation with other participating eligible tribal governments, if any, that will annually distribute cash grants equal to thirty percent of the state-authorized casino's net revenues, as defined at 25 U.S.C. 2703, in lieu of any state annual gaming or income taxes that would otherwise apply to the state-authorized casino, if any, according to the following formula:

(i) Seventy percent of the cash grants shall be directed to school districts in Nebraska according to need;

(ii) Twenty percent of the cash grants shall be directed to county and municipal governments in Nebraska according to need;

(iii) Five percent of the cash grants shall be directed to the State Racing Commission or one or more organizations that support the horseracing industry in Nebraska, or both the Commission and such organizations, at the foundation's discretion; and

(iv) Five percent of the cash grants shall be directed to the Compulsive Gamblers Assistance Fund;

(b) Use any profits received from the state-authorized casino for tribal economic and community development purposes;

(c) Compact with the Governor or his or her designated representative or representatives to establish reasonable standards governing the operation of the state-authorized casino, provided that no participating eligible tribal government shall be required to share any revenue in excess of its share of the cash grants specified in subdivision (2)(a) of this section;

(d) Share an equal interest in the state-authorized casino with other participating eligible tribal governments, if any, that agree to the conditions in this section;

(e) For the purpose of resolving disputes relating to the operation of the state-authorized casino, either waive sovereign immunity from suit on a limited basis or operate such casino as a corporation or limited liability company chartered under the laws of Nebraska; and

(f) Refrain from exercising its sovereign and federal right to operate Class III gaming on Indian lands within Nebraska pursuant to the federal Indian Gaming Regulatory Act while sharing an interest in the state-authorized casino and while the state-authorized casino is in operation, unless one or more other state-authorized casinos are permitted in Nebraska.

(3) The Governor or his or her designated representative or representatives shall negotiate in good faith with any eligible tribal government for the purpose of entering into a tribal-state compact governing the conduct of games of chance pursuant to this section. A compact which is negotiated pursuant to this section shall be executed by the Governor without ratification by the Legislature.

(4) The Attorney General is exclusively authorized on behalf of the State of Nebraska to enforce the provisions of any compact executed under this section.

(5) The State of Nebraska hereby waives its sovereign immunity to civil suit brought by any federally recognized tribal government having administrative headquarters in Nebraska as of January 1, 2006, to enforce the provisions of this section or any provision of 25 U.S.C. 2710.

(6) If any part of this section is rendered or declared invalid by a court of competent jurisdiction or an administrative action, then the remaining parts of this section are severable and shall survive to the extent they can be given effect.